

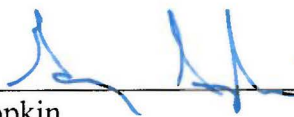
SAFE DRINKING WATER ACT9-62. Administrative Penalty Actions Against a Federal Agency for Violations of the Safe Drinking Water Act

1. **AUTHORITY.** Pursuant to Section 1447(b) of the Safe Drinking Water Act, the authority to:
 - a. Determine whether a federal agency is in violation of an applicable requirement under the SDWA;
 - b. Issue complaints and negotiate consent orders memorializing settlements between the U.S. Environmental Protection Agency and federal agency respondents;
 - c. Sign consent orders between the EPA and federal agency respondents; and
 - d. Issue final orders assessing penalties for violation of the SDWA by any federal agency.
2. **TO WHOM DELEGATED.**
 - a. Authorities 1.a. - 1.c. are delegated to the director, Enforcement and Compliance Assurance Division.
 - b. Authority 1.d. is delegated to the regional judicial officer.
3. **LIMITATIONS.**
 - a. If the head of the affected department, agency, or instrumentality requests a conference with the Administrator in writing and serves a copy of the request on the parties or record within 30 days of the Environmental Appeals Board's service of the final order, a decision by the Administrator shall become the final order for the purposes of the SDWA.
 - b. Any official exercising authorities 1.a. - 1.c. shall obtain the advance concurrence of the regional counsel or designee.
4. **REDELEGATION AUTHORITY.**
 - a. Authorities 1.a. - 1.c. may be redelegated to the branch chief level, and no further, except that negotiation authority may be redelegated to staff attorneys.
 - b. Authority 1.d. may not be redelegated.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

SAFE DRINKING WATER ACT

9-62. Administrative Penalty Actions Against a Federal Agency for Violations
of the Safe Drinking Water Act

5. **ADDITIONAL REFERENCE.** 40 C.F.R. Part 22.



Gregory Sopkin
Regional Administrator



Date